

Victim and Witness Handbook for Adult Offender Parole Revocation Hearings



California Department of Corrections and Rehabilitation

**Office of Victim and Survivor
Rights and Services**

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This handbook is intended to provide victims and witnesses with information about the parole revocation hearing process. This information will be especially helpful for those who decide to attend the parole revocation hearing.

For additional information and assistance, please contact:

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What is a parole revocation hearing?

When a parolee is arrested on charges of violating his/her conditions of parole, the California Department of Corrections and Rehabilitation (CDCR) Board of Parole Hearings (BPH) conducts a parole revocation hearing to determine whether the parolee should be returned to prison. A BPH Deputy Commissioner is the hearing officer. The parolee's parole agent attends the hearing to present the facts about the violation. The local law enforcement officer who arrested the parolee may also attend to present facts about the arrest. The victim(s) of the alleged violation and any witness(es) to the alleged violation may attend the hearing to present testimony. The parolee and the parolee's attorney also attend to present witnesses and documentary evidence in defense of the charges.

Who is present at a parole revocation hearing and what is their role?

Deputy Commissioner. A Deputy Commissioner who works for the BPH serves as the hearing officer in the revocation process. The Deputy Commissioner will review the facts and related ADA issues, listen to testimony, and ask questions of those attending the hearing, and make the decision about whether parole is revoked.

Inmate/Parolee. The inmate/parolee can choose whether or not to be present and provide testimony at the hearing.

Inmate/Parolee's Attorney. The inmate/parolee's attorney will be at the hearing unless the inmate/parolee has chosen not to have an attorney. The inmate/parolee's attorney will speak on behalf of the inmate/parolee and may ask questions of those attending the hearing.

Arresting Officer. The local law enforcement officer who arrested the parolee for the alleged violation may attend the hearing to present the facts at the time of the arrest.

Victim(s). The victim(s) of the parolee's alleged parole violation is subpoenaed by the BPH to attend the hearing to present testimony and respond to questions from the BPH Deputy Commissioner and the inmate/parolee's attorney.

Witness(es). The witness(es) to the incident leading to the parolee's arrest may be subpoenaed by the BPH and by the inmate/parolee's attorney to attend the hearing to present testimony and respond to questions.

Victim/Witness Advocate. The victim/witness attending a parole revocation hearing may request to have a victim/witness advocate from the county Victim/Witness Assistance Center accompany them to the hearing. Although the victim/witness advocate is allowed in the hearing room, he/she cannot participate in the hearing process.

Parole Agent. The parole agent assigned to the case as the supervising agent or agent of record attends the hearing to describe the parolee's conduct while he/she was on parole, including stability of residence, employment, participation in community programs, and prior violation history, if any. The parole agent makes recommendations appropriate to the case and responds to questions about the case.

News/Media. Members of the press may attend a revocation hearing only when approved by the BPH. You will be informed if members of the media will be present.

Observers. In rare occasions, persons not connected to the case may be permitted to observe a parole revocation hearing for educational purposes.

Where is the parole revocation hearing held?

The hearing will normally be held within 50 miles of the location where the parole violation is alleged to have occurred. The hearing takes place inside a designated state prison or a local county jail. State prisons and county jails are safe and very secure institutions; however, you may need to prepare yourself for this unique environment. The institutions are heavily constructed buildings with thick concrete walls and heavy metal locking doors. You are likely to see inmates walking around inside the prison or jail. This is normal. You will not be alone and should not be alarmed. Do not hesitate to ask questions before, during, and after the parole revocation hearing.

What do I do if I am subpoenaed to attend a parole revocation hearing?

As soon as possible, contact the hearing agent identified on the Notice Requiring Appearance letter that was included with the subpoena you received in the mail. A victim advocate from the county victim/witness assistance center may be available to assist you throughout the revocation process.

What do I need to bring with me to the parole revocation hearing?

You need to bring valid government-issued picture identification with you. Examples of acceptable government-issued picture identification include the following:

- ❖ State driver's license with picture (not laminated)
- ❖ California Department of Motor Vehicles identification card with picture (not laminated)
- ❖ Armed Forces identification card with picture
- ❖ Picture identification card issued by the United States Department of Citizenship and Immigration Services, formerly known as the United States Immigration and Naturalization Service

- ❖ Passport with a picture
- ❖ Picture identification Matricula Consular De Alta Seguridad issued by the Mexican Consulate

What items am I allowed to bring with me to the parole revocation hearing?

The items you can bring with you to a parole revocation hearing are limited to the following:

- ❖ A handkerchief (no bandannas)
- ❖ Tissue
- ❖ Car keys
- ❖ Writing materials and documents
- ❖ A book
- ❖ Small clear change purse
- ❖ Small food items such as whole fruit, a sealed granola bar or a candy bar
- ❖ Critical medications
- ❖ Critical medical equipment and supplies

The following items are strictly prohibited inside an institution:

- ❖ Food items other than whole fruit, a sealed granola bar or a candy bar (vending machines are available if you would like to purchase something to eat or drink inside the facility)
- ❖ Chewing gum
- ❖ Purses
- ❖ Cell phones, pagers, recording devices, and cameras
- ❖ All tobacco products (including cigarettes), lighters, and matches

If you have a medical condition or require disability-related assistive devices such as a wheelchair, pacemaker, service animal, oxygen, prosthetic device, etc., please contact the hearing agent identified on the Notice Requiring Appearance letter that was included with the subpoena you received in the mail.

What do I wear to the parole revocation hearing?

It is recommended that you dress conservatively (no sheer or transparent clothes, strapless or “spaghetti” strap tops, shorts, short skirts or dresses, clothes that expose the midriff area or items displaying obscene or offensive language or drawings). For your safety, no blue jeans, denim or dark blue work shirts are permitted because inmates wear this type of clothing.

Victims and witnesses will need to pass through a metal detector, so it is recommended that you avoid wearing hairclips, hairpins, excessive jewelry, belt buckles, steel-toed shoes, and suspenders.

You may be denied access into the institution if you wear inappropriate attire.

What happens once I arrive at the prison/local jail?

If you are the victim of the alleged violation or a witness to the alleged violation and have been contacted by the county victim/witness advocate, the victim/witness advocate will greet you when you get to the state prison/local jail. You will be asked to present identification. (See “What do I need to bring with me to the parole revocation hearing?” on page 4 for a list of acceptable forms of identification.) The victim/witness advocate will escort you through a security screening process.

Security screening in prisons is similar to the screening used in airports. You will be asked to go through a metal detector. If the alarm sounds, a hand-wand metal detector will be used. You may be subjected to a cursory search over your clothes (also known as a “pat-down”). Please let the security staff know if you are unable to pass through a metal detector for medical, religious or cultural reasons and staff will instead conduct a cursory search over your clothes.

Persons with disabilities or medical conditions are encouraged to bring documentation of their condition to help facilitate the security screening process, but it is not required.

Once inside the facility, the victim/witness advocate will take you to a waiting room. The victim/witness advocate will remain with you and will be able to answer your questions at any time.

If you are denied entry into the prison/local jail, show the security staff your copy of the parole revocation subpoena mailed to you from the BPH.

What should I say in the parole revocation hearing?

All you must do is tell the truth in your own words.

When will I know the results of the parole revocation hearing?

At the end of the hearing after everyone has spoken, the Deputy Commissioner will announce his/her decision as to whether there is good cause to believe that a parole violation has occurred and if so, how much time the parolee/inmate will serve for the violation. You may wait outside the hearing room to be informed of the decision or ask that the Parole Agent contact you at a later time with the decision.

What happens if the inmate/parolee is not revoked?

If the inmate/parolee is not revoked he/she will most likely be released from custody unless there is an outstanding warrant and bail can not be made.

What happens if the inmate/parolee is revoked?

The inmate/parolee will be returned to custody for up to 12 months.

What are my options if I'm subpoenaed but cannot attend the parole revocation hearing?

If you are subpoenaed but cannot attend the hearing, you should contact the hearing agent identified in the Notice Requiring Appearance letter included with the subpoena that you received in the mail. The reason must be documented and forwarded to the Deputy Commissioner so he/she can determine whether it is reasonable to excuse you from the hearing.

A victim/witness can also submit a written statement to be read into the record at the hearing. Follow these steps to submit a written statement:

1. Write the inmate's name, his or her CDCR number, and the hearing date on the letter, to ensure the letter is processed correctly and timely.
2. Mark the letter and envelope "CONFIDENTIAL."
3. Mail your statement to the hearing location indicated on the subpoena.

Will I be reimbursed for my expenses if I am subpoenaed and attend the parole revocation hearing?

Victims and adverse witnesses who appear, and are not members of law enforcement, are entitled to mileage compensation set at 24 cents per mile, for a maximum of 100 miles round trip and \$35.00 compensation for their appearance at the hearing.

To receive reimbursement for mileage, the victim/witness must drive his/her own vehicle to the hearing. If the victim/witness is a passenger in a vehicle then he/she is not authorized to receive the mileage allowance.

Note: If two or more victims/witnesses live at the same address and have appeared at the same hearing, only ONE (1) victim/witness will receive the mileage; however, both will receive the \$35.00 compensation for their appearance at the hearing.

The compensation process takes approximately eight (8) weeks from the time the subpoena is received by BPH Invoice Processing.

Primary Sites for Parole Revocation Hearings

R.J. Donovan Correctional Facility

480 Alta Road
San Diego, CA 92179
(619) 661-6500 ext. 7482

California Institution for Men

14901 Central Avenue
Chino, CA 91710
(909) 597-1821 ext. 5327

Correctional Institution for Women

16756 Chino-Corona Road
Corona, CA 92878
(909) 597-1771 ext. 6306

Rio Cosumnes Correctional Center (RCCC)

12500 Bruceville Road
Galt, CA 95758
(916) 683-6756
(916) 683-6418-FAX

North Kern State Prison

2737 West Cecil Avenue
Delano, CA 93216
(661)721-2345 ext. 5608

Deuel Vocational Institution

23500 Kasson Road
Tracy, CA 95378
(209) 835-4141 ext. 6622

Valley State Prison for Women

21633 Avenue 24
Chowchilla, CA 93610
(559) 665-6100 ext. 5227

Santa Rita County Jail (ALA-SR)

5325 Broder Blvd
Dublin, Ca
(925) 551-6940 ext. 6945
(925)-551 6946-FAX

San Quentin State Prison

San Quentin, CA 94964
(415) 454-1460 ext. 5189

High Desert State Prison

475-750 Rice Canyon Road
Susanville, CA 96127
(530) 251-5100 ext. 5280

Wasco State Prison

701 Scofield Avenue
Wasco, CA 93280
(661) 758-8400 ext. 7416

Los Angeles County Jail

320 W 4th Street, Ste. 500
Los Angeles, CA 90013
(213) 576-6550 ext. 5789
(213) 576-6529 FAX
(213) 620-6026 (new)

Pitchess Detention Center

(661) 295-3375 ext. 3375
(661) 295-3391 FAX

Driving directions for each facility are available on the Internet at:

<http://www.cdcr.ca.gov/Visitors/Facilities/index.html>

or by calling the facility directly.

Other Resources

Victim/Witness Assistance Centers: County centers that help victims and their families. Call 1-800-VICTIM to find one near you.